

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton  
Executive Director

Southern District of New York  
Jennifer L. Brown  
Attorney-in-Charge

April 16, 2021

*By ECF*

Honorable Mary Kay Vyskocil  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/16/2021

Re: *United States v. Kermit Irizarry*, 21 Cr. 60 (MKV)

Dear Judge Vyskocil:

I write on consent (Assistant U.S. Attorney Emily Johnson) to respectfully request that the Court set a deadline to reply to the Government's response to our motion to dismiss the indictment, which was grounded in the underrepresentation of Black and Latino individuals in the jury pool in this district. (Our motion was filed on March 12, 2021, *see* Dkt. Nos. 10-11; the Government responded on April 2, 2021, *see* Dkt. No. 15.) I have a trial beginning on April 27, 2021 in front of Judge Castel, and I have not had sufficient time to address the Government's response in this case. Accordingly, I respectfully request that the Court set a deadline of May 14, 2021 for our response.

Thank you for your consideration of this request.

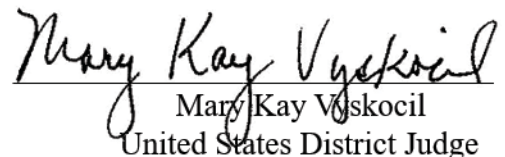
Respectfully submitted,

/s/ \_\_\_\_\_  
Martin S. Cohen  
Ass't Federal Defender  
(212) 417-8737

Cc: Emily Johnson, Esq. by ECF

**Granted. SO ORDERED.**

Date: April 16, 2021  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge